

ASSIGNED

APPLICATION FOR PERMIT

Serial No. 10585

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office NOV 8 1940
 Returned to applicant for correction _____
 Corrected application filed _____

The undersigned THE WESTERN PACIFIC RAILROAD COMPANY
Name of applicant
 of San Francisco, County of San Francisco,
 State of California, hereby makeS application for
 permission to appropriate the public waters of the State of Nevada, as
 hereinafter stated. (If applicant is a corporation, give date and place
 of incorporation.) June 6, 1916 - State of California.

1. The source of the proposed appropriation is Cedar Spring.
Name of stream, lake, or other source
2. The amount of water applied for is 0.50 second-feet.
One second-foot equals 40 miners' inches
3. The water to be used for locomotive and domestic use.
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
in Lot 12, Sec. 4, T. 36 N. R. 70 E., M.D.B.&M., Elko County, Nevada.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Use will begin about _____ and end about _____, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located in SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 34 and SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 35,
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
T1N, R19W., and SW $\frac{1}{4}$ Sec. 17, T1S, R19W, S.L.B.&M.
- (f) Point of return of water to stream _____
Describe in same manner as point of diversion.
- (g) State number and kinds of animals to be watered _____

- (h) Use will begin about Jan. 1st and end about Dec. 31st, of each year.
Month Month

- (i) Remarks _____

DESCRIPTION OF PROPOSED WORKS

Water to be collected by dam at spring and conveyed by 3" pipe line to

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

intersection with Cottonwood Springs pipe line in Lot 1, Sec. 9, T36N,

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

R70E, MDB&M. Grade of pipe line 24%. Water to be stored in reservoir, capacity 0.97 acre feet, located near S.E. corner Sec. 34, T1N, R19W,

SLB&M, and thence conveyed to point of use and distribution in SW¹ of Sec. 17, T1S, R19W, SLB&M.

5. Estimated cost of works \$2,280.00 for works to junction with Cottonwood Spring line in Lot 1, Sec. 9, T36N, R70E, MDB&M, a distance of 83042'

6. Estimated time required to construct works Works completed.

7. Remarks Water to be used continuously from January 1st to December 31st of each year.

For use of applicant

THE WESTERN PACIFIC RAILROAD CO., Applicant.

By J. W. Williams
Chief Engineer.

Compared RMG-CT

This sheet inspected

, Engineer.

Protested Oct. 15, 1946 by Texas A. McCall.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all prior rights on the source.

It is understood that the one-half cubic foot of water per second herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. It is understood that accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.50 of a cubic foot per second.

Actual construction work shall begin on or before October 1, 1941

Proof of commencement of work shall be filed before November 1, 1941

Work must be prosecuted with reasonable diligence and be completed on or before October 1, 1943

Proof of completion of work shall be filed before November 1, 1943

Application of water to beneficial use shall be made on or before

October 1, 1944

Proof of the application of water to beneficial use must be filed with State Engineer on or before November 1, 1944

Map Filed NOV 8 1940

Proof of commencement of work filed NOV 26 1941

Proof of completion of work filed OCT 22 1943

Proof of Beneficial use filed OCT 20 1944

Certificate No. 2632. Issued January 5, 1945, for 19.36 cfs.

Recorded January 11, 1945, BK 3, Pages 309-310

El Paso County Records.

WITNESS MY HAND AND SEAL this 21st day

of March, 1941

Alfred Merritt Smith
State Engineer.

Compared RMG-CT